

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Rick Wayne Rickgauer and)
Laurie Ann McKnight Rickgauer) Case No. 23-10600-JCM
)
) Chapter 13
Debtor(s).)
_____ X

ORDER OF COURT
(Check Boxes That Apply)

☒ **Confirming Plan on Final Basis** ☐ **Chapter 13 Plan dated:**

☐ **Authorizing Distributions Under Plan** ☒ **Amended Chapter 13 dated:**
On Interim Basis Solely as Adequate 9-3-24
Protection

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$1195 effective 12/23.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$1219, beginning 10/24. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☒ K. Additional Terms and Conditions:

**All plan payments must be by TFS, WA, or (where eligible) ACH. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods.*

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

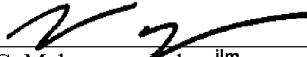
E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: October 17, 2024



John C. Melaragno, Judge ^{jlm}
United States Bankruptcy Court

cc: All Parties in Interest to be served by Clerk

SIGNED
10/17/24 10:37 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Rick Wayne Rickgauer
Laurie Ann McKnight Rickgauer
Debtors

Case No. 23-10600-JCM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Oct 17, 2024

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 53

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 19, 2024:

Recip ID	Recipient Name and Address
db/jdb	+ Rick Wayne Rickgauer, Laurie Ann McKnight Rickgauer, 1754 Cherry Street, Lake City, PA 16423-1213
15655863	+ Condor Securitization Trust, Attn: Bankruptcy, 165 Oser Ave., Hauppauge, NY 11788-3710
15655867	Evolve Bank & Trust, Attn: Bankruptcy, Triad Center 16000 Poplar Ave, Ste 300, Memphis, TN 38119

TOTAL: 3

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15655855	+ Email/Text: bankruptcynotices@aarons.com	Oct 17 2024 23:50:00	Aaron's Sales & Lease, Attn: Legal Dept, 400 Galleria Pkwy Se, Suite 300, Atlanta, GA 30339-3182
15655856	+ Email/PDF: AffirmBKNotifications@resurgent.com	Oct 18 2024 00:10:56	Affirm, Inc., Attn: Bankruptcy, 650 California St, Fl 12, San Francisco, CA 94108-2716
15666459	Email/PDF: resurgentbknotifications@resurgent.com	Oct 18 2024 00:10:44	Affirm, Inc., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15655857	+ Email/Text: bk@avant.com	Oct 17 2024 23:50:00	Avant LLC, Attn: Bankruptcy, Po Box 9183380, Chicago, IL 60691-3380
15655858	+ Email/Text: bk@avant.com	Oct 17 2024 23:50:00	Avant/WebBank, 222 North Lasalle Street, Suite 1600, Chicago, IL 60601-1112
15655859	+ Email/Text: bk@avant.com	Oct 17 2024 23:50:00	Avant/WebBank, 222 W Merchandise Mart Plaza, Chicago, IL 60654-1103
15655864	Email/Text: cfcbackoffice@confinco.com	Oct 17 2024 23:49:00	Continental Finance Co, Attn: Bankruptcy, 4550 Linden Hill Rd, Ste 4, Wilmington, DE 19808
15655861	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Oct 17 2024 23:58:07	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15655860	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Oct 18 2024 00:11:38	Capital One, Po Box 31293, Salt Lake City, UT 84131-0293
15666685	Email/PDF: AIS.cocard.ebn@aisinfo.com	Oct 18 2024 00:14:33	Capital One N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15655862	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Oct 18 2024 00:12:20	Capital One/Walmart, Attn: Bankruptcy, P.O. Box 30285, Salt Lake City, UT 84130-0285
15655865	+ Email/PDF: creditonebknotifications@resurgent.com	Oct 18 2024 00:11:39	Credit One Bank, Attn: Bankruptcy Department, 6801 Cimarron Rd, Las Vegas, NV 89113-2273
15655866	+ Email/PDF: creditonebknotifications@resurgent.com	Oct 18 2024 00:12:25	Credit One Bank, Po Box 98872, Las Vegas, NV 89193-8872
15655868	+ Email/Text: bnc-bluestem@quantum3group.com	Oct 17 2024 23:50:00	Fingerhut, Attn: Bankruptcy, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

District/off: 0315-1

User: auto

Page 2 of 4

Date Rcvd: Oct 17, 2024

Form ID: pdf900

Total Noticed: 53

15655869	+ Email/Text: bnc-bluestem@quantum3group.com	Oct 17 2024 23:50:00	Fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820
15655870	+ Email/PDF: ais.fpc.ebn@aisinfo.com	Oct 18 2024 00:13:08	First Premier Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
15655872	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Oct 17 2024 23:50:00	Genesis FS Card Services, Attn: Bankruptcy, Po Box 4477, Beaverton, OR 97076-4401
15655873	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Oct 17 2024 23:50:00	Gm Financial, Attn: Bankruptcy, Po Box 183853, Arlington, TX 76096-3853
15673367	Email/Text: JCAP_BNC_Notices@jcap.com	Oct 17 2024 23:50:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud MN 56302-9617
15656843	^ MEBN	Oct 17 2024 23:51:06	KML Law Group, P.C., c/o Geraldine M. Linn, Suite 5000, 701 Market Street, Philadelphia, PA 19106-1541
15675080	Email/PDF: resurgentbknotifications@resurgent.com	Oct 18 2024 00:10:30	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15655874	+ Email/PDF: resurgentbknotifications@resurgent.com	Oct 18 2024 00:11:54	Lvnv Funding/Resurgent Capital, Attn: Bankruptcy, Po Box 10497, Greenville, SC 29603-0497
15666415	Email/PDF: MerrickBKNotifications@Resurgent.com	Oct 18 2024 00:14:05	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
15655878	Email/Text: ml-ebn@missionlane.com	Oct 17 2024 23:49:00	Mission Lane LLC, Attn: Bankruptcy, P.O. Box 105286, Atlanta, GA 30348
15655875	+ Email/Text: bankruptcy@marinerfinance.com	Oct 17 2024 23:49:00	Mariner Finance, Attn: Bankruptcy, 8211 Town Center Drive, Nottingham, MD 21236-5904
15670941	+ Email/Text: bankruptcy@marinerfinance.com	Oct 17 2024 23:49:00	Mariner Finance, LLC, 8211 Town Center Drive, Nottingham, MD 21236-5904
15655876	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Oct 18 2024 00:11:44	Merrick Bank/CCHoldings, Attn: Bankruptcy, P.O. Box 9201, Old Bethpage, NY 11804-9001
15655877	+ Email/Text: bankruptcy@sccompanies.com	Oct 17 2024 23:50:00	Midnight Velvet, Attn: Bankruptcy, 1112 7th Avenue, Monroe, WI 53566-1364
15655879	+ Email/Text: nsm_bk_notices@mrcooper.com	Oct 17 2024 23:49:00	Mrc/united Wholesale M. Attn: Bankruptcy, P. O. Box 619098, Dallas, TX 75261-9098
15656844	+ Email/Text: nsm_bk_notices@mrcooper.com	Oct 17 2024 23:49:00	New Residential Mortgage Loan, c/o Nationstar Mortgage LLC, 8950 Cypress Waters Boulevard, Coppell, TX 75019-4620
15675310	+ Email/Text: nsm_bk_notices@mrcooper.com	Oct 17 2024 23:49:00	New Residential Mortgage Loan Trust 2017-6, c/o Nationstar Mortgage LLC, Attn: Bankruptcy Department, P.O. Box 619096, Dallas, TX 75261-9096
15655882	Email/Text: bankruptcy@oportun.com	Oct 17 2024 23:49:00	Oportun, Attn: Bankruptcy, 2 Circle Star Way, San Carlos, CA 94070
15655880	+ Email/Text: BKEBN-Notifications@ocwen.com	Oct 17 2024 23:49:00	Ocwen Loan Servicing, LLC, Attn: Bankruptcy, 1661 Worthington Rd, Ste 100, West Palm Beach, FL 33409-6493
15676207	+ Email/PDF: cbp@omf.com	Oct 18 2024 00:13:03	OneMain Financial, PO Box 3251, Evansville, IN 47731-3251
15655881	+ Email/PDF: cbp@omf.com	Oct 18 2024 00:10:32	Onemain, Po Box 1010, Evansville, IN 47706-1010
15657727	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Oct 17 2024 23:50:00	PA Department of Revenue, Bankruptcy Division, PO Box 280946, Attn: Bankruptcy, Harrisburg, PA 17128-0946
15673413	+ Email/Text: JCAP_BNC_Notices@jcap.com	Oct 17 2024 23:50:00	Premier Bankcard, LLC, Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud MN

District/off: 0315-1

User: auto

Page 3 of 4

Date Rcvd: Oct 17, 2024

Form ID: pdf900

Total Noticed: 53

15667668	Email/Text: bnc-quantum@quantum3group.com	Oct 17 2024 23:50:00	56302-7999 Quantum3 Group LLC as agent for, Galaxy International Purchasing LLC, PO Box 788, Kirkland, WA 98083-0788
15667002	Email/Text: bnc-quantum@quantum3group.com	Oct 17 2024 23:50:00	Quantum3 Group LLC as agent for, Concora Credit Inc., PO Box 788, Kirkland, WA 98083-0788
15655883	+ Email/Text: bankruptcy@creditcharma.com	Oct 17 2024 23:49:00	Seed Financial, Attn: Bankruptcy, 548 Market St., Pmb 33447, San Francisco, CA 94104-5401
15674296	^ MEBN	Oct 17 2024 23:51:19	SeedFi/CRB, Systems & Services Technologies, Inc., 4315 Pickett Road, St. Joseph, MO 64503-1600
15655884	+ Email/PDF: ais.sync.ebn@aisinfo.com	Oct 17 2024 23:58:05	Syncb/Care Credit, Attn: Bankruptcy, Po Box 965061, Orlando, FL 32896-5061
15655885	+ Email/PDF: ais.sync.ebn@aisinfo.com	Oct 18 2024 00:13:15	Synchrony Bank/Care Credit, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15655886	+ Email/PDF: ais.sync.ebn@aisinfo.com	Oct 17 2024 23:59:49	Synchrony/PayPal Credit, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15655887	+ Email/Text: bankruptcyssst@alorica.com	Oct 17 2024 23:49:00	Systems & Services Technologies, Attn: Bankruptcy, 4315 Pickett Rd, Saint Joseph, MO 64503-1600
15674663	Email/Text: BNCnotices@dcmsservices.com	Oct 17 2024 23:49:00	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15674669	Email/Text: BNCnotices@dcmsservices.com	Oct 17 2024 23:49:00	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15655889	+ Email/Text: LCI@upstart.com	Oct 17 2024 23:49:00	Upstart Finance, Attn: Bankruptcy, Po Box 1503, San Carlos, CA 94070-7503
15655890	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Oct 17 2024 23:58:11	Walmart Credit Services/Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15655891	+ Email/Text: bankruptcy@webbank.com	Oct 17 2024 23:49:00	WebBank, 215 South State Street Suite 1000, Salt Lake City, UT 84111-2336

TOTAL: 50

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		New Residential Mortgage Loan Trust 2017-6
15655871		First Premier Bank
15655888		Tbom/contfin

TOTAL: 3 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0315-1

User: auto

Page 4 of 4

Date Rcvd: Oct 17, 2024

Form ID: pdf900

Total Noticed: 53

Date: Oct 19, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 17, 2024 at the address(es) listed below:

Name	Email Address
Daniel P. Foster	on behalf of Debtor Rick Wayne Rickgauer dan@mrdebtbuster.com katie@mrdebtbuster.com;marci@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Plaintiff Laurie Ann McKnight Rickgauer dan@mrdebtbuster.com katie@mrdebtbuster.com;marci@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Joint Debtor Laurie Ann McKnight Rickgauer dan@mrdebtbuster.com katie@mrdebtbuster.com;marci@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Denise Carlon	on behalf of Creditor New Residential Mortgage Loan Trust 2017-6 dcarlon@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Peter E. Meltzer	on behalf of Defendant One Main Financial bankruptcy@wglaw.com ibernatski@wglaw.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 7